

Remarks/Arguments

This paper is submitted responsive to the Office Action mailed September 8, 2008. Reconsideration of the application in light of the accompanying remarks and amendments is respectfully requested.

New drawings are proposed and these drawings show the objected to connection between the components of the invention. As to the remaining drawing objection, reconsideration is requested. The specific features of the strain gauges and other components of the invention are not themselves part of the invention. Thus, these specific features are not considered a part of the present application.

The claims have been amended to address the issue with the term “microchip” and to address the other issues raised under 35 USC 112. The claims as amended are believed to meet all requirements under 35 USC 112.

The claims were rejected under 35 U.S.C. §102(b) as being anticipated by Figure 2 of U.S.P.N. 4,970,819 to Mayhak (“Mayhak”). Applicants traverse the rejection.

The Examiner relies upon the statements made in the prior Office action mailed August 16, 2007.

Applicants contend Mayhak does not teach, explicitly or inherently, each and every element recited in Applicants’ amended claims 20, 22 and 24 or in new claims 26-43.

Applicants’ amend and new claims recite in part the following: “a handle having a pressure activated energy source”. Applicants contend Mayhak does not teach the use of a pressure activated energy source installed within the handle of the firearm taught therein. Mayhak does teach a grip pattern recognition means comprising a group of components including a source of power, such as a battery 27 (See col. 2, l. 65 - col. 3, l. 7). However, Mayhak does not teach the source of power is actuated by the pressure exerted by the gun owner’s grip to release a “trigger safety pin” as recited in Applicants’ claims. The pressure exerted by the gun’s owner refers to the “means for determining a plurality of levels of owner recognition”, that is, the “means for determining a first level of owner recognition”, “means for determining a second level of owner recognition” and “means for determining a third level of owner recognition”, as recited in Applicants’ amended claims 20, 22, 24 and new claims 26-43.

For at least these reasons, Applicants contend amended claims 20, 22 and 24, including

dependent claims 21, 23 and 25, and new claims 26-43 are patentable and not anticipated by the teachings of Mayhak.

In light of the foregoing, Applicants respectfully request the examiner withdraw the rejection under 35 U.S.C. § 102(b) and find claims 20-43 are allowable.

The examiner also rejected the claims under 35 U.S.C. § 102(e) as being anticipated by paragraphs [0022-0026] of U.S.P.N. 7,168,198 to Newkirk ("Newkirk"). Applicants traverse the rejection.

The Examiner relies upon the statements made in the prior Office action mailed August 16, 2007.

Applicants contend Newkirk does not teach, explicitly or inherently, each and every element recited in Applicants' amended claims 20 and 22 or in new claims 26-43.

Applicants' amend and new claims recite in part the following: "a handle having a pressure activated energy source". Applicants contend Newkirk does not teach the use of a pressure activated energy source installed within the handle of the firearm taught therein. In particular, Newkirk does not teach the source of power is actuated by the pressure exerted by the gun owner's grip to release a "trigger safety pin" as recited in Applicants' claims. The pressure exerted by the gun's owner refers to the "means for determining a plurality of levels of owner recognition", that is, the "means for determining a first level of owner recognition", "means for determining a second level of owner recognition" and "means for determining a third level of owner recognition", as recited in Applicants' amended claims 20 and 22 and new claims 26-43.

For at least these reasons, Applicants contend amended claims 20 and 22, including dependent claims 21 and 23, and new claims 26-43 are patentable and not anticipated by the teachings of Newkirk.

In light of the foregoing, Applicants respectfully request the examiner withdraw the rejection under 35 U.S.C. § 102(e) and find claims 20-23 and 26-43 are allowable.

The examiner rejected the claims under 35 U.S.C. § 103(a) as being unpatentable over U.S.P.N. 7,168,198 to Newkirk. Applicants traverse the rejection.

Applicants reiterate their remarks with respect to the teachings of Newkirk with respect to Applicants' claims 20-23 in the rejection under 35 U.S.C. § 102(e).

The examiner asserts one of ordinary skill in the art would find it obvious to provide as

many gauges as necessary to obtain more readings. Applicants' amend and new claims recite in part the following: "a handle having a pressure activated energy source". Applicants contend Newkirk does not teach, suggest or provide the requisite motivation to one of ordinary skill in the art to alter its teachings and teach the use of a pressure activated energy source installed within the handle of the firearm taught therein. In particular, Newkirk does not teach or suggest the source of power is actuated by the pressure exerted by the gun owner's grip to release a "trigger safety pin" as recited in Applicants' claims. The pressure exerted by the gun's owner refers to the "means for determining a plurality of levels of owner recognition", that is, the "means for determining a first level of owner recognition", "means for determining a second level of owner recognition" and "means for determining a third level of owner recognition", as recited in Applicants' amended claims 20 and 22 and new claims 26-43. Furthermore, Applicants contend Newkirk does not provide the requisite motivation to one of ordinary skill in the art to alter its teachings in order to somehow incorporate a pressure activated power source actuated by the grip applied by the gun's owner that in turn releases a trigger safety pin.

For at least these reasons, Applicants contend amended claim 24, including dependent claim 25, and new claims 26-43 are patentable and not obvious over the teachings of Newkirk.

In light of the foregoing, Applicants respectfully request the examiner withdraw the rejection under 35 U.S.C. § 103(a) and find claims 24-43 are allowable.

CONCLUSION

In light of the foregoing, it is submitted that all of the claims as pending patentably define over the art of record and an early indication of same is respectfully requested.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

JOSE CARLOS ALBANO DE AMARANTE ET AL.

By /george a. coury/
George A. Coury
Attorney for Applicants
Reg. No.: 34,309

Telephone: 203-777-6628 x116
Telefax: 203-865-0297

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